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Fax Cover Sheet**ESTÉE
LAUDER**
COMPANIES

DATE: October 28, 2003 **TIME:** 5:43 PM
TO: Examiner Amy Pulliam **PHONE:** (703) 308-4710
U.S.P.T.O. GAU 1615 **FAX:** (703) 305-3592
FROM: Dorene M. Price **PHONE:** (631) 531-1194
Estée Lauder Companies **FAX:** (631) 531-1340
RE: After Final Communication: Notice of Appeal (S/N 09/324,182)

CC:**Number of pages including cover sheet: 5****Message**

Please see the attached documents.

- Combined Notice of Appeal and Petition for Extension of Time (duplicate)

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**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
98.21US

In Re Application Of: **Sbah et al.**

Serial No.
09/324,182

Filing Date
June 2, 1999

Examiner
Pulliam, Amy

Group Art Unit
1615

Invention: **Non-Tacky Mascara Composition**

TO THE COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of **May 28, 2003** in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **May 28, 2003** finally rejecting Claim(s) **1 - 8 and 10- 30**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: **August 28, 2003**

Date

until:

October 28, 2003

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$330.00

Fee for Extension of Time: \$420.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$750.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.

☒ Please charge Deposit Account No. **05-1320** in the amount of **\$750.00**

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **05 - 1320**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **05 - 1320**

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**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
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In Re Application Of: Shah et al.

Serial No.
09/324,182Filing Date
June 2, 1999Examiner
Pulliam, AmyGroup Art Unit
1615

Invention: Non-Tacky Mascara Composition

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: October 28, 2003

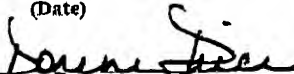
Dorene M. Price (Reg. No. 43,018)
Estee Lauder Companies
125 Pinelawn Road
Melville, NY 11747
(631) 531-1194

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OCT 28 2003

OFFICIAL**Certificate of Transmission by Facsimile***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703.305.3592) on October 28, 2003
(Date)



Signature

DORENE M. PRICE

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

*This certificate may only be used if paying by deposit account.

cc:

P29LARGE/REV03